

1 IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA
2 Civil Action No. 1:19-cv-00272

3
4 MAXWELL KADEL, et al.,
5 Plaintiffs,

6 vs.

7 DALE FOLWELL, in his official
capacity as State Treasurer of
8 North Carolina, et al.,
9 Defendants.

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11
12
13 * CONFIDENTIAL ATTORNEY EYES ONLY *

14
15 VIRTUAL ZOOM VIDEOTAPED DEPOSITION OF
SERGEANT DANA CARAWAY

16 (Taken by Defendants)

17 Morganton, North Carolina
18 Friday, September 17, 2021
19
20
21
22

23 Reported by Andrea L. Kingsley, RPR
24
25

1 Q. What were you studying at Piedmont
2 Community College?

3 A. Business law.

4 Q. You mentioned odd jobs. Just can you
5 describe those generally?

6 A. I worked for MDI Merchant Distributors,
7 Incorporated, filled orders for grocery stores.
8 Valdese Manufacturing and Lowes Hardware.

9 Q. When did you decide to apply to be a
10 correctional officer?

11 A. Sometime in 1993 I started applying.

12 Q. Why did you start applying?

13 A. For a career job.

14 Q. Do you know when you were hired?

15 A. My first day on duty was November 8,
16 1994. So it would have been retroactive dated back
17 to -- official hire date would be November 1, 1994.

18 Q. What was your first duty assignment as a
19 correctional officer?

20 A. Marion Correctional Institution, 3730 F
21 unit, second shift.

22 Q. What is F unit?

23 A. It was a housing unit for regular
24 population and a DART unit.

25 Q. DART, what is that?

1 A. My last assignment at Marion would have
2 been on segregation, restrictive housing.

3 Q. Where were you assigned after being
4 assigned to Marion?

5 A. Lateral transfer to Western Youth
6 Institution.

7 Q. Western what?

8 A. Western Youth Institution.

9 Q. Which I assume housed youth offenders?

10 A. We had youthful offenders from 14 and
11 inmates up to 24, 25 years old.

12 Q. What did you do there?

13 A. Correctional officer.

14 Q. Were you assigned to a particular unit?

15 A. Over my five plus, six years there,
16 there wasn't much that I didn't do. I've done from
17 regular housing to gang floors, new processing,
18 segregation, intake and processing of new inmates,
19 transportation. Everything. Western taught us to
20 do everything. And worked as an acting sergeant
21 when they was short on supervisors.

22 Q. Is it safe to say that at Western Youth
23 Institution there were not quite as defined roles
24 for correctional officers as at other facilities?

25 A. You had defined roles as being assigned

1 to floors. It's been so long I couldn't tell you
2 how long I spent on each floor, but I can tell you
3 there was not too many posts at that facility that
4 I did not work.

5 Q. How long did you work at Western Youth
6 Institution?

7 A. I left Western Youth in January of 2006.

8 Q. Why did you leave?

9 A. I was promoted to correctional sergeant
10 and transferred to Alexander Correctional.

11 Q. Where were you assigned at Alexander
12 Correctional?

13 A. I started on first shift blue unit.

14 Q. What is blue unit?

15 A. It was housing for close maximum custody
16 inmates and we had physically handicapped inmates
17 on part of the units that had wheelchairs or
18 physical disabilities or ailments.

19 Q. Can you describe generally how your
20 duties changed from being a correctional officer to
21 being a sergeant?

22 A. I went from correctional officer of
23 following state policy and procedures,
24 institutional standard operating procedures and
25 post assignment post orders to supervising inmates

1 A. I transferred to green unit.

2 Q. What is green unit?

3 A. It housed our woodworking inmates,
4 Alexander has a woodworking factory that builds
5 furniture for state industry and facilities and
6 kitchen workers.

7 Q. How long did you do that?

8 A. Until I transferred out in May or June,
9 April, May, June of 2010.

10 Q. Where did you go when you transferred
11 out?

12 A. I transferred back to Western Youth
13 Institution as a sergeant, just lateral.

14 Q. How long were you at Western Youth
15 Institution?

16 A. Until it's closure in 2013.

17 Q. Then what did you do?

18 A. When it closed, I was rifted back to
19 Alexander.

20 Q. When you say rifted, your position was
21 terminated as a part of a reduction in force; is
22 that correct?

23 A. No, sir. The facility was closed and I
24 was rifted, I kept the same position and was
25 transferred into a position of same rank at

1 Alexander and given my rift rights.

2 Q. What were your rift rights --

3 A. Rift rights was there wasn't a job
4 closer to my home and I had one year to use the
5 rift rights so that if a position would become
6 available, I could use the rift rights and I would
7 be given first priority to have a chance at the
8 position -- facility of my choosing.

9 Q. Was there ever a period that you were
10 not employed by DPS?

11 A. No.

12 Q. So in 2013 you went back to Alexander;
13 correct?

14 A. In 2013, yes.

15 Q. Where were you assigned when you were
16 assigned to Alexander?

17 A. I went back to red unit.

18 Q. How long were you in red unit?

19 A. I was on red unit until I used my rift
20 rights in July of 2014 and transferred to
21 Foothills.

22 Q. Why did you transfer to Foothills?

23 A. Foothills was a mile and a half from my
24 home.

25 Q. What position were you assigned to at

1 you let me know?

2 A. I'm sorry, one more time?

3 Q. If you see a document with someone with
4 the last name Caraway that you believe does not
5 refer to you, to a relative or someone else, will
6 you let me know?

7 A. I will.

8 Q. The question I have, if you look down
9 here where my cursor is, it says September 23, 1994.

10 A. Yes.

11 Q. Other records indicate you began your
12 service as a correctional officer in November 1994,
13 and I guess I'm curious why you would sign paperwork
14 in September of that year.

15 A. Can you roll back to the top?

16 Q. Um-hmm.

17 A. If you go back to the bottom.

18 Q. Sure.

19 A. I'm not sure. We was opening a new
20 prison, and I was getting hired on at Marion
21 Correctional Institution and -- I don't know if
22 there's a conditional alter that I signed, but I do
23 know that my initial employment date, even within
24 the state system, shows November 8 which was
25 retroactivate back to November 1, that is to my

1 understanding. I would say that this has something
2 to do when we're going through all the processing
3 paperwork for the months that it took or year that
4 it took to get on with the department at that time.

5 Q. Could you describe that hiring process?
6 That was going to be my next question. Because it
7 sounds like you -- there were meetings and the like
8 prior to your November 1994 start date. Is that
9 correct?

10 A. Yes.

11 Q. So how did you find out that there were
12 positions available with the Department of Public
13 Safety?

14 A. The department's always had vacancies.
15 That would be the easiest thing. But I was working
16 a job and I had been trying to get on with the
17 department, and a lady by the name of Jean Walker
18 had came into the business I was working at and we
19 began talking and I found out her husband was
20 Warden Walker at Marion Correctional -- was going
21 to be Warden Walker. And so I applied at Marion.
22 And some months later I got called up and they
23 scheduled an interview and then I got an interview,
24 and then an executive interview, and then later on
25 I was called and advised I got hired and got a job

1 within the department.

2 Q. You said you had an interview. Was the
3 interview with employees of Department of
4 Corrections?

5 A. With the Department of Corrections, yes.

6 Q. Then it was the Department of
7 Corrections. Was the executive interview with the
8 Department of Corrections?

9 A. The first interview was probably with an
10 administrative assistant who I don't know. And
11 then we got an executive interview with who was
12 going to be the assistant warden, Mr. Ricky
13 Anderson, and the warden Mr. Dean Walker.

14 Q. Were those two individuals in charge of
15 supervising the Marion Correctional Institute?

16 A. They were in charge of the facility and
17 opening it, seeing that it was employed and
18 staffed.

19 Q. There are some other documents here.
20 This is -- is that your signature on this page 2 of
21 this exhibit Sergeant Caraway?

22 A. Yes.

23 Q. Is your signature dated September 23,
24 1994?

25 A. That would be.

1 Q. Where is Torrid located?

2 A. My store is located in Hickory, North
3 Carolina, Valley Hills Mall.

4 Q. Have you long have you worked at Torrid?

5 A. Roughly a year and a half. Maybe a
6 little longer.

7 Q. Do you have any other employers that you
8 have reported to the Department of Public Safety?

9 A. I have no other employers that you work
10 for, no.

11 Q. Prior to your employment at Torrid, did
12 you have another employer that you reported to the
13 Department of Public Safety?

14 A. The only employer I worked for in the
15 last 27 years other than Torrid was the Department
16 of Corrections, Department of Public Safety.

17 Q. I will ask you again to look at the
18 exhibit or another document that appears to have
19 been signed by you on September 23, 1994. Is that
20 correct?

21 A. I see that, yes.

22 Q. It acknowledges receipt of an
23 administrative memorandum entitled, "Conditions of
24 continued employment." Do you know what memorandum
25 that refers to?

1 haven't looked at an updated policy for years. I
2 just know that I don't take favors, honorariums,
3 donations or gifts of any type because I work with
4 the prison system.

5 Q. I'm going to try to show you another
6 document. I'm going to ask if you can explain this
7 document to me and its purpose.

8 (SHP Exhibit 5, Salary Adjustment
9 Request, marked for identification, as of this
10 date.)

11 Q. Sergeant Caraway, is this a document
12 that reflects an increase in pay for you?

13 A. Can you scroll down please.

14 Q. Absolutely.

15 A. I don't know. I don't see any increase
16 in pay on there at all so I'm not sure.

17 Q. Do you see the language of salary
18 adjustment request?

19 A. I see a request. I'm not sure whether I
20 got any money out of it or not. That may be a
21 request but that doesn't mean I got anything.

22 Q. As a corrections officer, Sergeant
23 Caraway, are you required to maintain certification
24 with the State of North Carolina?

25 A. Yes.

1 Q. What's the agency that certifies you?

2 A. Criminal Justice Standard Commissions.

3 Q. Do you understand that that
4 certification from the Criminal Justice Standards
5 Commission is a requirement with the Department of
6 Public Safety?

7 A. Absolutely.

8 Q. Does that have an annual training
9 requirement?

10 A. It's supposed to, yes.

11 Q. You said it's supposed to. What does
12 that mean?

13 A. So we actually have a leeway of two
14 years, and with COVID, the Criminal Justice
15 Standard Commission gave everybody a waiver. So
16 there will be people that go up to three years
17 possibly without having been to their annual
18 training. But in normal years, yes, you're
19 supposed to go yearly.

20 Q. Who provides that training?

21 A. The department supplies the training and
22 it's overseen in our facility by Mr. Avery, and he
23 schedules your training yearly, and then the
24 training is conducted by OSDT and our local college
25 system and they supply instructors.

1 Q. And you participate in this training,
2 Sergeant Caraway, is that correct?

3 A. I'm required to, yes.

4 Q. Let's see if I can find the document I
5 want to show you next.

6 (SHP Exhibit 6, STS History Report,
7 marked for identification, as of this date.)

8 Q. Sergeant Caraway, can you see the
9 document on your screen marked Exhibit 6?

10 A. Yes. It's all real tiny.

11 Q. I will zoom in.

12 A. I do know what the form is, yes.

13 Q. What is this form?

14 A. That's a history of my training and
15 education record.

16 Q. These are the training that we were just
17 speaking of; is that correct?

18 A. Correct.

19 Q. So you are required as a member -- as a
20 corrections officer in the State of North Carolina
21 to attend training; is that correct?

22 A. I was required as a correctional officer
23 and I'm still required as a correctional sergeant
24 and front line supervisor to attend annual
25 training, yes.

1 Q. So these are training from 2013. But
2 these -- you testified these would have been
3 trainings arranged and provided through the
4 leadership at the institution you were at at the
5 time?

6 A. They would have been scheduled by the
7 institution, yes, but supplied by the officer of
8 staff development training.

9 Q. Did you have to pay for these training?

10 A. No. The department pays for this stuff.

11 Q. This record, the department keeps track
12 of these trainings?

13 A. Yes. There should be a record all the
14 way back to 1994 to currently.

15 Q. This record I can get as far back as --
16 1994. So it appears your first training was blood
17 borne pathogens.

18 A. That would have been my very first day
19 on November 8, 1994, at the incubation training
20 unit at Marion correctional.

21 Q. That identifies -- this document which
22 only goes through 2013 identifies over a thousand
23 hours of training provided by the Department of
24 Public Safety; is that correct?

25 A. Well, the one above it would have

1 covered -- up through 2013, I would have
2 received -- whatever date that was on the very
3 first would have been 1,075, but that particular
4 blood borne, I received three hours of certified
5 training for. But that 1,075 would have ended on
6 March 21, 2013, yes.

7 Q. Sergeant Caraway, do you recognize this
8 record?

9 A. Could you enlarge it please? Okay, hold
10 up there. Yeah, that would have been on training
11 that would have been completed towards the end of
12 May.

13 Q. Would this include additional training
14 that you received that was not reflected on the
15 prior exhibit?

16 A. Yes.

17 Q. Again, these are trainings provided by
18 the Department of Public Safety at no expense to
19 you?

20 A. Yes.

21 Q. And these are requirements of
22 maintaining your employment at the Department of
23 Public Safety?

24 A. Correct.

25 Q. Sergeant Caraway, who is your

1 supervisor?

2 A. Phillip Badgett.

3 Q. What is Mr. Badgett's title?

4 A. Correctional housing unit manager number
5 2.

6 Q. Does Mr. Badgett provide you with an
7 annual performance evaluation?

8 A. He's supposed to be placing in monthly
9 entries and every six months making an evaluation
10 and yearly evaluations, yes.

11 Q. You said he's supposed to. Has he been
12 doing that?

13 A. I'm sure you've got my records from my
14 evaluations. So probably not.

15 Q. Is anybody else responsible for doing
16 performance evaluations?

17 A. His supervisor above him is required to
18 see that he does his job.

19 Q. If you were to be recommended for an
20 increase in pay, Sergeant Caraway, would Mr. Badgett
21 have to sign off on that?

22 A. We haven't been given the merit-based
23 pay raises in year so the pay raises that we
24 receive would be given to us from the general
25 assembly or across the board. Unless I have a

1 negative rating overall, I don't know if it would
2 affect my pay or not, but to the best of my
3 recollection, Mr. Badgett has made one or two total
4 monthly entries in my evaluations in the last three
5 years.

6 Q. Does the Department of Public Safety
7 have a process to discipline employees?

8 A. They do.

9 Q. What is that process called?

10 A. There is an investigation process.

11 Q. What is Mr. Badgett's role in the
12 investigation process?

13 A. If there's wrongdoing, he's supposed to
14 report it up. He could actually give you a
15 coaching session or something within those
16 guidelines, but with actual disciplinary action, it
17 would go to our facility head, to region, then to
18 DPS headquarters in Raleigh, and then come back
19 down the chain and everybody would have to be in
20 agreement that that was a just punishment handed
21 out.

22 Q. You mentioned a number of individuals or
23 institutions involved in that decision. Are all the
24 individuals involved in that decision employees of
25 the Department of Public Safety?

1 A. Absolutely.

2 Q. Does anyone at the State Health Plan
3 have any role in that disciplinary process?

4 A. I don't know.

5 Q. Do you have any reason to believe that
6 someone at the State Health Plan does have a role in
7 that process?

8 A. I'm going to be honest with you, I don't
9 have no idea. I don't work in Raleigh. I just
10 work in my facility. So I just don't know if
11 anybody does.

12 Q. Who is LaDonna Browning?

13 A. She is our current Western Regional
14 manager.

15 Q. What does LaDonna Browning do in that
16 role?

17 A. She's over all the facilities in the
18 western half of the state.

19 Q. So is she the supervisor of the wardens
20 for the facilities in the western half of the state?

21 A. She is over it all.

22 Q. Has she been in that position since
23 2014?

24 A. No.

25 Q. What were her prior positions?

1 A. She was warden at Foothills Correctional
2 where I'm located at currently.

3 Q. Was she the warden when you were
4 transferred to Foothills Correctional Institution?

5 A. She was.

6 Q. Does she make the final decision about
7 whether to recommend that you be transferred to
8 Foothills?

9 A. She would have had input into whether or
10 not I was allowed to the come to the facility, but
11 I did have rift rights so I think I would have got
12 to come regardless.

13 Q. Sergeant Caraway, what are post orders?

14 A. Post orders are if -- I have an officer
15 assigned to work a control room, there's certain
16 responsibilities that that staff member would carry
17 out in that one post and those orders in that
18 specific post, each post would have different
19 orders so that specific post for that control room,
20 he would have orders for that spot, that's a post
21 order.

22 Q. Do you have post orders for your
23 position?

24 A. Yes.

25 Q. Those are -- I want to see if I can make

1 sure I understand. Those are the duties that you
2 are expected to carry out on a daily basis in your
3 position?

4 A. Right.

5 Q. Who issues post orders?

6 A. They're set forth by the facility. So
7 unit management would be involved, facility
8 management would be involved, and it would all have
9 to fall in guidelines with institutional standard
10 operating procedures, departmental policy and
11 procedures and state and federal laws.

12 Q. Is failure to follow post orders a basis
13 for discipline?

14 A. It could be a basis for discipline, it
15 could be.

16 Q. Sergeant Caraway, can you see my screen?

17 A. I do.

18 Q. Is this the post order that applies to
19 your position at the Department of Public Safety?

20 A. It appears so, yes.

21 Q. Your testimony is that this document
22 describes your responsibilities as a sergeant at
23 Foothills Correctional Institution; is that correct?

24 A. Correct.

25 Q. This document is -- as you can see up

1 there, it has an issue date of July 21, 2020?

2 A. I do see that, yes.

3 Q. Do you believe that's the most current
4 post order?

5 A. I'm not sure, I'm going to be honest, I
6 don't know if there's been an update since then or
7 not.

8 Q. But that's updated by the Department of
9 Public Safety; is that correct?

10 A. No. If you will scroll up all the way
11 to the bottom, that would have been signed off by
12 our current warden Theresa Jordan. So she signed
13 that one off at 7/21. So that post order would
14 have been written in-house and had to have followed
15 all the other procedures and then signed off by our
16 institutional warden.

17 Q. So the final signature on a post order
18 is the warden of the institution?

19 A. At that level for that post order, yes.

20 Q. For a post order that applies to your
21 position, it has to be signed off on by the warden?

22 A. And it could be it was the assistant
23 warden. I have occasionally seen assistant
24 wardens, it just depends who they're designated to
25 at the time. But this one appears Ms. Jordan, that

1 Q. How about the letters HBR?

2 A. No. Not that I can recall.

3 Q. Sergeant Caraway, have you ever had a
4 circumstance in which there was an error in your
5 pay?

6 A. I'm sure that's happened several times
7 in my career.

8 Q. If there were an error in your pay
9 today, who would be the person you would go to about
10 that?

11 A. Our personnel in human resources in our
12 facility.

13 Q. Is there a specific person in that job?

14 A. Well, there's four people involved. The
15 supervisor would be Mary Carter, but she has been
16 out with -- on medical leave. So in her place it's
17 been Ginger Murphy and maybe Bertie Bland which
18 would be her assistant.

19 Q. What was it --

20 A. B-E-R-T-I-E B-L-A-N-D. And Virginia
21 Murphy would be the proper name.

22 Q. If you had questions about whether you
23 had been paid for the hours you worked, you would
24 speak with one of those three individuals?

25 A. Yes.

1 break because I think we've been going for quite a
2 while.

3 (SHP Exhibit 7, Caraway Payment
4 Advice, marked for identification, as of this
5 date.)

6 Q. Sergeant Caraway, have you seen a
7 document like this before?

8 A. Yes.

9 Q. Would you refer to this as your pay
10 advice?

11 A. That would be a monthly pay stub, yes.

12 Q. Does that include various deductions for
13 benefits; is that correct?

14 A. Correct.

15 Q. You mentioned SEANC dues. Is that one
16 of the deductions there?

17 A. That is one of the deductions.

18 Q. It looks like at the top there is says
19 BYUP 8020 PT. Is that the deduction for the State
20 Health Plan?

21 A. No. That is my monthly out-of-pocket
22 expense for the State Health Plan.

23 Q. The deduction from your pay for the cost
24 of the State Health Plan?

25 A. Yes.

1 Q. SEANC insurance, what is that?

2 A. I think I have dental insurance or
3 something through SEANC, I can't rightly remember,
4 but I have some insurance through SEANC or dental
5 or vision or something, I don't remember.

6 Q. There is American Heritage Insurance
7 Company. Do you know what that is, Sergeant
8 Caraway?

9 A. I will be honest with you, I don't know
10 what that is. I did sign up for it but I don't
11 remember what it is.

12 MR. MCINNES: David, I think
13 Sergeant Caraway needs a break, I need a
14 break. Should we --

15 MR. KNEPPER: How long would you
16 like the break to be, Sergeant Caraway? Come
17 back at 2:45?

18 THE VIDEOGRAPHER: We're off the
19 record at 2:33 p.m.

20 (Recess taken.)

21 THE VIDEOGRAPHER: Back on the
22 record at 2:45 p.m.

23 Q. Sergeant Caraway, are you required to
24 wear a uniform during the performance of your duties
25 for the Department of Public Safety?

1 A. Yes.

2 Q. Do you provide that uniform yourself?

3 A. No, the department provides it.

4 Q. Is there equipment that you are required
5 to possess as an officer with the Department of
6 Public Safety?

7 A. Yes.

8 Q. What is that equipment?

9 A. Handcuffs, they give me a belt --
10 handcuffs, handcuff holster, pepper spray, pepper
11 spray holster, baton, baton holster. If I have to
12 go out on an escape or something, transport,
13 firearm, firearm holster, ammunition. Clothing and
14 boots. The only thing they don't supply is socks
15 and undergarments.

16 Q. You anticipated my second question. The
17 Department of Public Safety supplies you with that
18 equipment; correct?

19 A. Yes.

20 Q. You were not free to use your own
21 equipment in lieu of that supplied by the Department
22 of Public Safety?

23 A. No.

24 Q. Sergeant Caraway, how long have you been
25 enrolled in the State Health Plan?

1 A. Correct.

2 Q. What is your basis for that belief?

3 A. I read the news articles and seen
4 comments that he had made on the television and
5 read his comments directly out of the News &
6 Observer, out of Raleigh, they'd been posted or
7 pasted on the internet.

8 Q. Did you attend any meetings of the board
9 of trustees of the State Health Plan?

10 A. No. But I do recall that was a closed
11 door session when they decided to place -- he
12 decided to place an exclusionary rule on
13 transgender services, so had I went to Raleigh
14 regardless I wouldn't have been allowed into that
15 room to have my voice heard.

16 Q. You believe that was the end of 2017?

17 A. I believe that was sometime in the year
18 2017 that he would have placed the exclusionary
19 rule to go into affect in January 1, 2018.

20 Q. Have you ever reviewed the minutes of
21 the State Board of Trustees for the North Carolina
22 State Health Plan?

23 A. No.

24 Q. So your belief that it was a closed
25 session where this matter was discussed is based on

Exhibit
0004 SHP
Caraway

XX TEACHERS' AND STATE EMPLOYEES' RETIREMENT SYSTEM
LOCAL GOVERNMENTAL EMPLOYEES' RETIREMENT SYSTEM

PLEASE PRINT OR TYPE FORM AND ATTACH A PHOTOCOPY OF YOUR SOCIAL SECURITY CARD.

Name [REDACTED] Active Register Number (To be provided by Retirement System) [REDACTED]
Address [REDACTED] (First) [REDACTED] (M.I.) [REDACTED] (Last) CARAWAY S.S. # [REDACTED]
City [REDACTED] State [REDACTED] Zip Code [REDACTED] Birthdate [REDACTED]
Sex: Male ☒ Female ☐

CERTIFICATION BY EMPLOYER: We certify that the above-named person is currently serving in a position which is eligible for membership in the Retirement System previously indicated.

Employer DEPARTMENT OF CORRECTIONS Employer Code [REDACTED]
Membership Date [REDACTED] Position CORRECTIONAL OFFICER
Authorized Signature [REDACTED] Date [REDACTED]

BENEFICIARY DESIGNATION: (Please read carefully the information on the reverse.) I request the Board of Trustees to pay, in the event of my death prior to retirement:

A. The total amount of accumulated contributions standing to my credit in the Retirement System:

COMPLETE NAME	ADDRESS	RELATIONSHIP	DATE OF BIRTH
Principal: <u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
Contingent: <u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>

B. The total amount of the death benefit provided under G.S. 135-5 or 128-27 to which I may be entitled.

COMPLETE NAME	ADDRESS	RELATIONSHIP	DATE OF BIRTH
Principal: <u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
Contingent: <u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>
<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>	<u>[REDACTED]</u>

I hereby authorize the Board of Trustees to make payment to the beneficiary(ies) whom I have nominated above and agree on behalf of myself and my heirs and assigns, that payment so made shall be a complete discharge of the claim and shall constitute a release of the Retirement System from any further obligation on account of the benefit. In completing and signing this form, I acknowledge having read the information printed on the reverse. I reserve the right to change the beneficiary(ies) designated above as prescribed in the Rules and Regulations.

Signature [REDACTED] Date Sept 23, 94

NOTARY PUBLIC CERTIFICATION: State of North Carolina County of Mecklenburg


I, as a Notary Public of the said State and County, do hereby certify that [REDACTED] Caraway personally appeared before me and executed the foregoing instrument.

Witness my hand and seal this 23rd day of September, 1994 (Notary Public Seal)
Signature of Notary Kenneth Hawkins My commission expires Nov 14, 1998

ACKNOWLEDGEMENT
SECONDARY EMPLOYMENT

This is to acknowledge that I have read and understand the Department of
Correction policy of Secondary Employment. I have also been provided with a
form in which to request approval for secondary employment

9-23-94
(Date)

 C. C. C.
(Employee Signature)

P. D. D.
Witness

STATE OF NORTH CAROLINA
OFFICE OF THE STATE CONTROLLER

Payroll Section
TAX EXEMPTION CERTIFICATES

FOR PAYROLL OFFICER USE ONLY	Agency Name:		Unit: <u>3730</u>
	If the answer to the question below is 'YES', please furnish the following information		
	Last Date Employed by State	Wages Paid by State Subject to Soc. Sec. Withholding	Social Security Tax Withheld:
If a new employee, have you been employed by the state of North Carolina during the current calendar year? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			Name of Previous Agency

Form **W-4**
Department of the Treasury
Internal Revenue Service

Employee's Withholding Allowance Certificate

OMB No. 1545-0010

1 Type or print your first and middle initial [REDACTED]		Last name <u>Caraway</u>		2 Your social security number [REDACTED]	
Home address (number and street or rural route) [REDACTED]				[REDACTED]	
City or town, state, and ZIP code [REDACTED]				[REDACTED]	
4 Total number of allowances you are claiming.....				4 [REDACTED]	
5 Additional amount, if any, you want deducted from each pay.....				5 \$ [REDACTED]	
6 I claim exemption from withholding and I certify that I meet ALL of the following conditions for exemption:					
<ul style="list-style-type: none"> • Last year I had a right to a refund of ALL Federal income tax withheld because I had NO tax liability; AND • This year I expect a refund of ALL Federal income tax withheld because I expect to have NO tax liability; AND • This year if my income exceeds \$500 and includes nonwage income, another person cannot claim me as a dependent. 					
If you meet all of the above conditions, enter the year effective and "EXEMPT" here.....					
6 19					
7 Are you a full-time student? (Note: Full-time students are not automatically exempt.).....					
7 <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No					
Under penalties of perjury, I certify that I am entitled to the number of withholding allowances claimed on this certificate or entitled to claim the exempt status.					
Employee's signature ▶ [REDACTED] <u>Caraway</u>				Date ▶ <u>Sept. 23</u> , 19 <u>94</u>	
8 Employer's name and address (Employer: Complete 8 and 10 only if sending to IRS)				9 Office code (optional)	
OFFICE OF THE STATE CONTROLLER, RALEIGH, N.C. 27603-8003				10 Employer identification number 56-6023166	

Form **NC-4**

NORTH CAROLINA DEPARTMENT OF REVENUE
Employee's Withholding Allowance Certificate

1 Type or print your first and middle initial [REDACTED]		Last name <u>Caraway</u>		2 Your social security number [REDACTED]	
Home address (number and street or rural route) [REDACTED]				[REDACTED]	
City or town, state, and ZIP code [REDACTED]				[REDACTED]	
4 Total number of allowances you are claiming.....				4 [REDACTED]	
5 Additional amount, if any, you want deducted from each pay.....				5 \$ [REDACTED]	
6 I claim exemption from withholding and I certify that I meet ALL of the following conditions for exemption:					
<ul style="list-style-type: none"> • Last year I had a right to a refund of ALL State income tax withheld because I had NO tax liability; AND • This year I expect a refund of ALL State income tax withheld because I expect to have NO tax liability. 					
If claiming exempt, the statement is effective for one calendar year only and a new statement must be completed by next February 15 and given to your employer.					
If you meet all of the above conditions, the year effective and "EXEMPT" here.....					
6 19					
7 Are you a full-time student? (Note: Full-time students are not automatically exempt.).....					
7 [REDACTED]					
I certify, under penalties provided by law, that the withholding allowance on this certificate do not exceed the amount to which I am entitled.					
Employee's signature ▶ [REDACTED] <u>Caraway</u>				Date ▶ SAME AS ABOVE, 19	
8 Employer's name and address (Employer: Complete 8 and 9 only if sending to NCDR) SAME AS ABOVE				9 Employer identification number 092-100081	

Confidential --Attorneys' Eyes Only

NCDPS 000044

MARION CORRECTIONAL INSTITUTION
3730

I hereby acknowledge receipt of a copy of Administrative Memorandum: 1.07.27-88 entitled "Conditions of Continued Employment."

I understand that it is my responsibility to become familiar with and abide by these policies.

Also, I understand that a complete copy of the Department of Correction Disciplinary and Grievance Policy and Procedures are posted in the Assembly room and are available for my review.

 Caseway Name (Print)

 Caseway Employee's Signature

9-23-94 Date

UPON COMPLETION, THIS FORM MUST BE RETURNED TO MCI PERSONNEL

REQUIREMENTS OF THE DIVISION OF PRISONS REGARDING THE ACCEPTANCE
OF COURT SUBPOENAS

I have read, understand, and have received a copy of the directive dated October 13, 1992 issued by the Division of Prison's Deputy Director for Operations regarding the requirements of the Division of Prisons regarding the acceptance of court subpoenas by staff. I understand that if I have further questions about these requirements, that I may contact my supervisor.

EMPLOYEE SIGNATURE: [REDACTED]

PRINT NAME AS IT APPEARS ABOVE: [REDACTED]

POSITION: [REDACTED]

DATE: 9-23-1994

DIVISION OF PRISONS POLICY ON GIFTS, FAVORS, HONORARIUMS AND SOLICITATION
OF DONATIONS

It is the policy of the Division of Prisons to generally prohibit the acceptance or solicitation of gifts, favors or donations for personal use from individuals or other entities who are, or plan to be, conducting business with the Department of Correction. The details of this policy may be found in Department of Correction Administrative Memorandum 1.01.03-92. This rule applies to employees of the Division of Prisons and their immediate family.

The Department prohibits any employee from accepting honorariums for participating in activities while the employee is on duty. The Department prohibits employees who arrange or manage contracts from soliciting or accepting donations from any source, under any circumstances.

It is the responsibility of the employee to decline offers of gifts, favors, or honorariums. But in the event that refusal is unsuccessful and a gift, favor, or honorarium is received, the employee must report immediately in writing the facts of the matter to his/her supervisor.

Failure to comply with this policy will be considered unacceptable personal conduct as defined in the State Personnel Manual and subject to the sanctions contained therein.

I have read and understand this statement of the Department of Correction, Division of Prisons Policy on Gifts, Favors, Honorariums and Solicitation of Donations. I understand that specific details of the above rules are described in Department of Correction Administrative Memorandum 1.01.03-92.* If I have further questions about the policy, I understand that I may contact my supervisor or the Secretary's office directly.

*By signing below, I acknowledge receipt of a copy of this referenced memorandum.

EMPLOYEE SIGNATURE:

PRINT NAME AS IT APPEARS ABOVE:

POSITION #:

DATE:

[REDACTED] *Caranday*
[REDACTED] *Caranday*
9-23-94